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Committee on the Exercise of the Inalienable Rights of the Palestinian People

Summary record of the 292nd meeting
Held at Headquarters, New York, on Friday, 10 February 2006, at 10.30 a.m.

Temporary Chairman: Mr. Annan ..... (Secretary-General of the United Nations)
Chairman: Mr. Badji ..... (Senegal)

Contents

Adoption of the agenda

Election of officers

Statement by the Secretary-General

Statement by the Chairman

Statement by the Observer for Palestine

Draft programme of work of the Committee

Report on the United Nations Latin American and Caribbean Meeting on the Question of Palestine and the United Nations Public Forum in Support of Israeli-Palestinian Peace

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The meeting was called to order at 10.35 a.m.

Adoption of the agenda

1. *The agenda was adopted.*

Election of officers

2. **The Temporary Chairman** invited the Committee to consider nominations for the posts of Chairman, Vice-Chairmen and Rapporteur of the Committee.

3. **Mr. Hamidon Ali** (Malaysia) said that his delegation appreciated the Secretary-General's important role as a principal member of the Quartet, as well as his contributions to the Palestinian cause beyond the framework of the Quartet. His delegation trusted that the Secretary-General would continue to pursue the goal of achieving a comprehensive solution to the question in all its aspects, bearing in mind the permanent responsibility of the United Nations in that regard.

4. The Palestinian Authority and the people of Palestine were to be congratulated for the successful and peaceful conduct of the recent legislative elections. The overwhelming turnout attested to the Palestinians' determination to form a strong government that would enable them to achieve their inalienable rights, which included self-determination, a sovereign State with East Jerusalem as its capital, and the return of Palestinian refugees. His delegation associated itself with the statement concerning the Palestinian elections issued by the Bureau of the Committee on 7 February 2006.

5. A rare window of opportunity had opened and the international community, including the Committee, must make every effort to promote the realization of the inalienable rights of the Palestinian people, support the Middle East peace process and mobilize international support and assistance for the Palestinian people. Unfortunately, the historic elections had been held against a backdrop of continuing deterioration in the situation in the Occupied Palestinian Territory, and his delegation remained gravely concerned at the Palestinian people's suffering, which must be ended without further delay.

6. He nominated Mr. Badji (Senegal) for re-election to the office of Chairman, Mr. Farhâdi (Afghanistan) for re-election and Mr. Malmierca Díaz (Cuba) for election to the two offices of Vice-Chairman a Mr. Camilleri (Malta) for re-election to the office Rapporteur.

7. **Mr. Maqungo** (South Africa) seconded t nominations.

8. *Mr. Badji (Senegal), Mr. Farhâdi (Afghanista Mr. Malmierca Díaz (Cuba) and Mr. Camilleri (Mal were elected by acclamation.*

9. *Mr. Badji (Senegal) took the Chair.*

Statement by the Secretary-General

10. **The Secretary-General** said that, two wee earlier, the Palestinian people in the Gaza Strip and t West Bank, including East Jerusalem, had participat in fair, free and secure elections. They had voted large numbers, underlining their commitment to bu their democracy and achieve self-determination. T Palestinian Authority had ensured security on electi day, showing that the insecurity of the recent pa could be overcome, and the Palestinian Cent Elections Commission, with the support of the Unit Nations and the international community, had done excellent job in organizing the voting. President Abba the Palestinian Authority and the Palestinian peop were to be congratulated on their achievement, and t electoral observers from all over the world were to thanked for their contributions.

11. Expressing his respect for the decision of t Palestinian people, he said that the election outcor was a watershed in Palestinian political histo Discussions had begun on forming a government, a it was an extremely sensitive moment. President Abb had underlined the obligations and responsibilities th would be incumbent upon any new governme including Palestinian-Israeli agreements, starting wi the Oslo Accords and the Arab Summit resolutions a ending with the resolutions that had been agreed up by the international community, in particular the ro map as the only framework currently being put forwa for implementation.

12. The clear majority of the Palestinian people d not want to pursue violence or terrorism against Isra civilians. They also understood and accepted th Israel, which was a Member State of the Unit Nations, had a right to exist as a State, alongside t State of Palestine that Palestinians wanted a deserved to achieve. They also wanted the agreemen

and obligations already entered into by their elected representatives, including the road map, to be carried forward and implemented, not abandoned. As the Quartet and the Security Council had recently made clear, the international community would be watching very carefully to see how a new government rose to those challenges.

13. The international community was fully aware of the plight of the Palestinian people. Their territory remained under occupation, and settlement activity continued in certain areas. Nearly 400 checkpoints restricted movement throughout the West Bank despite a recent agreement to ease such restrictions. Fluid communications between Gaza and the West Bank had yet to be established, and a barrier continued to be built on occupied Palestinian territory despite the ruling of the International Court of Justice. The Quartet was deeply concerned about those matters and had reminded Israel that it must meet its obligations.

14. The Palestinian people also faced serious humanitarian and development challenges. Their economy, security services and government institutions all required continued support, as well as far-reaching reforms. As the most urgent need was to stabilize the Palestinian Authority's finances, he appealed to donors from the region and the wider international community to provide the support that was required at the current critical stage. He wished to stress his personal commitment to help the Palestinian people achieve, by peaceful means, what was rightly theirs: a viable, contiguous, independent State of Palestine living at peace with the State of Israel. Everyone should commit unequivocally to that goal and work together to achieve it.

Statement by the Chairman

15. **The Chairman**, speaking as the representative of Senegal, said that the Secretary-General's tireless concern for the Committee's work and his presence at the meeting attested to his deep commitment to the Palestinian people's realization of their inalienable rights to self-determination, sovereignty and national independence. He thanked the Bureau and the Committee for the trust they had placed in him and in Senegal, as well as all the observers and partners of the Committee, whose presence encouraged the Committee to pursue its noble mission.

16. Thirty years after the Committee had been established by General Assembly resolution 3376 (XXX), it was still far from achieving its legitimate objectives, which remained just as relevant as ever. The Committee must continue to fulfil its vital role as the only intergovernmental body in the United Nations system that dealt solely with the Palestinian question. It was necessary to reiterate those facts because there were those who apparently sought the abolition of the Committee and all other bodies concerned with the Palestinian question.

17. Despite the current impasse, 2005 had seen a number of positive developments that had helped reinvigorate the Middle East peace process, including the Sharm el-Sheikh summit, the withdrawal of settlers under Israel's unilateral plan of disengagement from the Gaza Strip and the northern West Bank, and the November Israeli-Palestinian agreement that had led to the opening of the Rafah border crossing point and the deployment of European observers. Those significant advances, which had been achieved through sustained and collective efforts, must be maintained and strengthened.

18. The Bureau of the Committee had issued a press release welcoming the successful outcome of the recent Palestinian elections and expressing the hope that the Palestinian people would continue their progress towards democracy while retaining their unity and their desire to build a modern and prosperous State based on democratic institutions. He reiterated Senegal's congratulations to the Palestinian people and to President Abbas whose leadership had contributed greatly to the election's success.

19. He hoped that the newly elected Palestinian Legislative Council would fulfil its mandate in the higher interests of the Palestinian people, who aspired to live in freedom, independence, democracy and prosperity, with East Jerusalem as their capital, and to enjoy peace and security alongside Israel and other neighbouring States. The success of the elections had demonstrated the Palestinian people's resolve to implement the road map, and all parties should seize the opportunity to bring a complete end to all acts of violence.

20. All efforts to ensure peaceful coexistence in the region must include mutual recognition by the parties and certainly the unambiguous recognition of the State of Israel. His Government would continue to engage all

parties concerned with a view to achieving the goals set out in the recent Quartet and Security Council statements. It was absolutely essential to reach a comprehensive, just and lasting peace in the Middle East, based on the relevant Security Council resolutions. His Government also demanded that all parties should speedily implement the advisory opinion rendered by the International Court of Justice on 9 July 2004 and General Assembly resolution ES-10/15 of 20 July 2004, which, inter alia, required Israel to halt the construction of a wall in the Occupied Palestinian Territory.

21. Donors should continue to provide the resources necessary to implement the United Nations Development Programme (UNDP) Programme of Assistance to the Palestinian People. Any attempt to impose conditionalities during the current crucial period would serve only to frustrate political progress, widen the divide between the parties, and harden their respective positions. Israel's decision to pay tax revenues to the Palestinian Authority was an encouraging sign which would help alleviate the daily suffering of the Palestinian people.

22. Organizations of civil society, non-governmental organizations, partners, parliamentarians and others should pursue their crucial role in mobilizing international public opinion on the difficult question of Palestine. The members of the Quartet should intensify their efforts to facilitate the renewal of direct dialogue between Israelis and Palestinians, who must fully honour their commitments and obligations under the road map.

Statement by the Observer for Palestine

23. **Mr. Mansour** (Observer for Palestine) expressed his appreciation to the Committee for its unwavering commitment to the realization of the inalienable rights of the Palestinian people. He also thanked the Secretary-General for his efforts, both within the United Nations system and as a member of the Quartet, to promote peace in the region. The Secretary-General's presence at that day's meeting not only reaffirmed the permanent responsibility of the United Nations with regard to the question of Palestine until its definitive resolution, but also illustrated his personal commitment to achieving a peaceful settlement of the Israeli-Palestinian conflict.

24. Two weeks previously, for the second time in the history of the Palestinian National Authority, the Palestinian people living under Israeli occupation had gone to the polls to elect a new legislature. Even though the elections had taken place at a time when the Palestinian people's freedom of movement was seriously restricted, President Mahmoud Abbas had remained committed to holding them on the designated date and had made it clear that they were a sine qua non for future progress. Voter turnout had been 77 per cent and, for the first time in an Arab country, the losing ruling party had peacefully transferred power to the winning party.

25. After the election results had been announced, President Abbas had reiterated the Palestinian side's ongoing commitment to the road map and to all the treaties and agreements signed by the Palestine Liberation Organization and the Palestinian National Authority. It would continue to call for the recognition of the inalienable rights of the Palestinian people and to highlight the human rights abuses and violations of international humanitarian law perpetrated by the occupying Power. It would continue to call for Israel's withdrawal from the territory it had occupied since 1967, including East Jerusalem, and to reject the destruction and colonization of Palestinian land. It would continue to call for the establishment of an independent Palestinian State, with East Jerusalem as its capital, so that the Palestinian people could live in freedom, peace and security.

26. Over the last week, President Abbas had engaged in intense discussions with all the political parties represented in the new Palestinian Legislative Council. On 16 February, the officers of the Council would be elected, after which a new cabinet would be formed. The international community should not collectively punish the Palestinian people for having exercised their democratic right to elect their representatives by halting or interrupting economic aid; he appealed to those parties that had declared their intention to revoke financial assistance to reconsider their position. Since the international community's main concern should be the welfare of the Palestinian people, it should seek to alleviate hardships, not intensify them.

27. Turning to the Committee's programme of work for 2006, he said that the Committee had already made considerable efforts to involve a number of groups in its work in order to ensure that all its activities were congruent with the ongoing political process and the

socio-economic situation in the region. The active participation of all those who attached importance to the principles of international law and who truly wanted to bring Israel's 38-year-old occupation to an end would certainly help to enhance capacity-building and prepare for the reconstruction of Palestinian society, especially in Gaza.

28. However, the Palestinian people still faced many challenges. The Committee had been established 30 years previously, before the construction of the monstrous wall of separation and the establishment of thousands of illegal Israeli settlements. Currently, the consequences of the illegal Israeli occupation permeated every aspect of the Palestinian peoples' lives. Thought should therefore be given to establishing additional programmes to ensure that the crimes committed during the occupation were not covered up. Every household should be made aware of the tragic plight of the Palestinian people so as to maximize support for a definitive end to the occupation.

29. In conclusion, he said that the international community had made it clear that, as United Nations mandates concerning the question of Palestine were renewed each year through the adoption of General Assembly resolutions, they should not be included in the review of mandates older than five years. The Committee should devise creative ways to support the efforts of the Secretary-General and to enhance the work of the Quartet with a view to finding a just solution to the conflict based on the road map and the relevant United Nations resolutions. His delegation stood ready to work with the Committee and the Secretary-General to that end.

Draft programme of work of the Committee
(A/AC.183/2006/CRP.1)

30. **The Chairman** introduced the draft programme of work for 2006 (A/AC.183/2006/CRP.1). Section I of the document summarized the resolutions concerning the respective mandates of the Committee, the Division for Palestinian Rights and the Department of Public Information which had been adopted by the General Assembly at its sixtieth session. Section II set out the priority issues for 2006 and section III covered the proposed activities of the Committee and the Division for Palestinian Rights. The Bureau of the Committee would continue to review the various elements of its programme of work in light of developments on the ground and would make adjustments as necessary.

31. **Mr. Diarra** (Mali) commended the Palestinian people on the successful conduct of the legislative elections. The Committee's draft programme of work for 2006 would help to hasten progress towards the ultimate objective of self-determination, sovereignty and independence for the Palestinian people.

32. He drew attention to paragraph 15 of the draft programme concerning participation by the Committee in relevant meetings of the General Assembly and the Security Council. The Committee must be fully involved in discussions on the implementation of the decisions taken at the 2005 World Summit, particularly with respect to management reform. As the Committee's detractors would like at all costs to seal its fate when its mandate came under review, the Committee should specifically mandate its Chairman to highlight the importance, at the current juncture, of enabling the Committee to continue its crucial work until its objectives were attained.

33. His delegation agreed that the Bureau should continue consultations with Governments and intergovernmental organizations, as stated in paragraph 18. It also drew attention to paragraph 21, including the call for economy and cost-effective use of resources. With respect to paragraph 28, consultations with national legislatures and inter-parliamentary organizations, notably the Inter-Parliamentary Union, enhanced the Committee's understanding of the question of Palestine. Such organizations should be encouraged to play a role in shaping public opinion in support of the Palestinian cause. His Government welcomed the Committee's intention to involve members of the Knesset and the Palestinian Legislative Council in events organized under its auspices.

34. Lastly, with respect to paragraph 29, he wondered what was meant by the phrase "development ... of the United Nations Information System on the Question of Palestine (UNISPAL)", as it implied that the "Question of Palestine" website had not yet been established and fully developed.

35. **The Chairman** said that the Committee had been dealing seriously with the issue of management reform and its implications for the Committee. Both as the representative of Senegal and as Chairman of the Committee, he had held a number of discussions on the matter with other delegations, including those that

might wish to see the Committee abolished. He would continue to work to ensure that the views of the Committee were well understood and taken into account. The Committee had no reason to be on the defensive, as it had received a clear mandate from the General Assembly. On the contrary, it must make every effort to become more visible and proactive to counter groundless criticism against it.

36. The Committee would adjust its programme of work as necessary in response to developments and would continue to improve its working methods. It would enhance its consultations with other competent United Nations bodies and cooperate with all actors concerned with regard to any issue that fell within its mandate. Concerning the rationalization of the Committee's work, progress had been made in many respects. Activities were no longer carried over automatically, and efforts were under way to enhance their cost-effectiveness.

37. The Committee had been meeting with representatives of civil society, including the Inter-Parliamentary Union, on a regular basis. It had recently met with non-governmental organizations to delve more deeply into the question of Palestine. The NGOs had asked why the many resolutions adopted by the General Assembly had not been implemented, and had challenged the Committee to ensure their implementation. They had also addressed issues that many Governments shunned, such as the question of boycotting companies that supplied the occupying Power with material that enabled it to build the wall or violate human rights in the Occupied Palestinian Territory.

38. Concerning the reference to the "development" of UNISPAL in paragraph 29, the website was well in place. Indeed, he urged delegations to consult it, as it contained a wealth of useful information. The Committee would continue to ensure that the site was maintained and updated regularly.

39. **Mr. Mahmassani** (Observer for the League of Arab States) commended the Palestinian people on the successful election, which had been a model exercise in democracy. That achievement must not be undermined or belittled, and the Palestinian people must not be punished for exercising their rights. Rather, the international community must continue to support the Palestinian people. The situation had reached a critical stage: construction of the wall in Palestinian territory continued, settlements continued to expand, the economy had been destroyed to an unacceptable degree, Palestinians' living standards were low and their freedom of movement was restricted. The international community must intensify efforts to support the rise of a Palestinian State and monitor implementation of the road map, which might ultimately help to ensure peace in the Middle East and the establishment of a free and independent Palestinian State alongside the State of Israel. His delegation looked forward to the establishment of a Palestinian Government that enjoyed the trust of the people, and hoped that it would continue to pursue the path of peace so that they could realize their aspirations.

40. His delegation strongly supported the draft programme of work. It highlighted, in particular, paragraph 18 concerning consultations with Governments and intergovernmental organizations, as such consultations would give fresh impetus to and promote better understanding of the Committee's work. The Committee should strive to ensure that any reform of the Organization did not adversely affect the mandate of the Committee or the work of other bodies involved in the promotion of Palestinian rights.

41. **Mr. Mekdad** (Observer for the Syrian Arab Republic), expressing his appreciation for the Secretary-General's important statement and commitment to the Palestinian cause, said that the free and fair elections held in the Palestinian territories under Israeli occupation were a milestone in the history of the Palestinian people, who had demonstrated their unity and determination to liberate their land and regain their rights. He also expressed his appreciation for the statement by the Observer for Palestine, particularly with respect to the role of the Committee, the Organization and the international community in promoting the full exercise of the rights of the Palestinians.

42. The proposed programme of work for 2006 was ambitious. It came at a decisive movement for the advancement of Palestinian rights. Israel would be holding elections in the coming month. Currently, Israeli political figures were competing to see who would do the most to usurp Palestinian land and rights. The Palestinian State that Israelis were proposing would be established on only 40 per cent of the West Bank and Gaza Strip, which meant that Israel would be taking some 60 per cent of Palestinian territory, including Jerusalem, while expanding settlements and

continuing construction of the separation wall. He wondered whether the Palestinian people could accept a State consisting of only 40 per cent of their territory. He trusted that they would not, regardless of the compromises offered.

43. With respect to the United Nations mandate on the question of Palestine, and the Committee's mandate in particular, follow-up action was needed. The Government of Israel, in its drive to usurp Palestinian land, appeared to be colluding with other Member States that were trying to cut back United Nations programmes to promote Palestinian rights. Such collusion seriously jeopardized the Organization's work and reflected a trend towards denying people the inalienable rights, especially the right to self-determination, guaranteed under the Charter and international law. The Committee must respond forcefully and effectively to those challenges.

44. Lastly, the Syrian Arab Republic stood by the Palestinian people on a daily basis to secure their rights. His country hosted some 500,000 Palestinians, who had been refugees since 1948 and who all aspired to return to their homes and regain their rights as specified by the relevant General Assembly and Security Council resolutions. The United Nations had a decisive role to play in ensuring that all those rights were secured and that all relevant United Nations resolutions were implemented.

45. **Mr. Malmierca Díaz** (Cuba) said that the Palestinian people's quest to secure their inalienable rights had become more important than ever and that Cuba would work resolutely to ensure that the Committee fulfilled its objectives. Cuba shared the view of the Movement of Non-Aligned Countries that the Committee's mandate should be preserved. The Committee must stand firm against the few delegations that were not interested in allowing the Palestinians to exercise their rights.

46. The Cuban Government supported the Bureau's statement on the recent elections in Palestine and commended the Palestinian Authority and the people of Palestine on having held democratic, transparent and peaceful elections. It wished to emphasize that the election results should not be used by any party to interfere in the internal affairs of Palestine and that it was not the time to exert pressure or cut off aid.

47. The Committee should continue to promote a just and lasting peace in the Middle East based on the occupying Power's withdrawal from the Occupied Palestinian Territory and the peaceful coexistence of Israel and an independent Palestinian State. The Committee's draft programme of work for 2006 was a step in the right direction.

48. **Mr. Farhâdi** (Afghanistan) commended the Palestinian Authority and the Palestinian people on the elections and reiterated that the Committee would continue to work actively to help the Palestinians achieve their inalienable rights. Great trust had been placed in the Committee, and it was important to bear in mind that the majority of the members of the General Assembly supported its existence.

49. **Mr. Hamidon Ali** (Malaysia) said that his delegation recognized the indispensable work carried out by the Division for Palestinian Rights pursuant to its mandate. Malaysia, in its capacity as Chairman of the Movement of Non-Aligned Countries and the Summit of the Organization of the Islamic Conference (OIC), would continue to cooperate fully with the Division and the Committee to advance the cause of the Palestinian people. He was pleased to inform the Committee that the Movement of Non-Aligned Countries had planned four high-level meetings in Cuba and Malaysia in 2006, at which the question of Palestine and Middle East peace would figure prominently. In keeping with the Movement's established practice, Malaysia and Cuba would invite the Committee and the Division to participate in those meetings.

50. The Ministers for Foreign Affairs of the Movement's Committee on Palestine had recently met with the Secretary-General to discuss the review of the mandates of activities and programmes relating to Palestine, the status of preparation by the Secretary-General of the register of damage caused by the separation wall and the outcome of the Palestinian legislative elections. On those issues, the Movement's Committee on Palestine had conveyed its position that the review of mandates did not apply to mandates concerning the Occupied Palestinian Territory and the occupied Syrian Golan, since they were renewed annually by the General Assembly; that the register of damage should be prepared without further delay; and that the international community should continue to provide economic assistance to the Palestinian people following the recent elections. United Nations-mandated activities and programmes were essential in that regard and must be continued.

51. *The draft programme of work of the Committee for 2006 was adopted.*

Report on the United Nations Latin American and Caribbean Meeting on the Question of Palestine and the United Nations Public Forum in Support of Israeli-Palestinian Peace

52. **The Chairman** said that the United Nations Latin American and Caribbean Meeting on the Question of Palestine had been convened with a view to mobilizing Latin American and Caribbean support for the Palestinian people's exercise of their inalienable rights. The participants had reviewed the situation in the Occupied Palestinian Territory, including East Jerusalem, paying particular attention to the consequences of the withdrawal of the Israeli army from the Gaza Strip and the impact of the continuing construction of the wall in the West Bank, in defiance of the advisory opinion of the International Court of Justice. Speakers had also discussed international efforts to revitalize the political process.

53. At the close of the Meeting, the participants had adopted the Caracas Declaration, wherein they condemned Israel's recent resumption of military incursions and extrajudicial killings, which threatened the fragile truce agreed to by Palestinian groups and unravelled the progress achieved to date. The Declaration also strongly condemned the continuing construction of the wall and the expansion of settlements in the Occupied Palestinian Territory, including East Jerusalem. The Bolivarian Republic of Venezuela had introduced an additional agenda item entitled "Humanitarian and socio-economic challenges facing the Palestinian people", with a view to giving the Palestinian cause greater visibility and to making international organizations more aware of the defenceless position in which Palestinian children, women and men had been left through the denial of their human rights, particularly their social rights, and therefore their right to lead a dignified life.

54. The participants had called on the Latin American and Caribbean States members of the Committee to redouble their efforts to promote the incorporation of other countries of the region as members or observers. Finally, the participants had welcomed the Brasilia Declaration, adopted in May 2005 at the South American and Arab Countries Summit, which reaffirmed the need to reach a just, durable and comprehensive peace in the Middle East based on the principle of land for peace and the relevant United Nations resolutions. They had also welcomed the Madrid framework and the Arab Peace Initiative, which provided a basis for ensuring the security of all countries in the region.

55. The United Nations Public Forum in Support of Israeli-Palestinian Peace had focused on how Latin American civil society could contribute to the settlement of the Israeli-Palestinian conflict and on the need to set up an information-sharing network in Latin America and the Caribbean.

56. **Ms. Taj El Dine** (Observer for the Bolivarian Republic of Venezuela) said that her Government had decided to host the two meetings in Caracas because it firmly believed in the principles of self-determination and non-interference, the right to sovereignty and the right of all Palestinians to return to their place of origin. The Venezuelan Government would continue to make its territory and its efforts available to defend those principles whenever and wherever they came under threat.

The meeting rose at 1 p.m.